

---

**TITLE 312 NATURAL RESOURCES COMMISSION**

**Notice of Public Hearing**  
LSA Document #11-421

**Notice of Public Hearing**

Under [IC 4-22-2-24](#), notice is hereby given that on November 16, 2011, at 9:00 a.m., at the Indiana Government Center North, 100 North Senate Avenue, Room N501, Main Conference Room, Indianapolis, Indiana, the Natural Resources Commission will hold a public hearing on proposed amendments to [312 IAC 8-1-3](#), which governs entrance into DNR properties, to provide standards regarding entry with firewood and possession of firewood.

[IC 4-22-2-24](#)(d)(3) Justification Statement: The Department of Natural Resources is charged with managing and conserving the natural and cultural resources of Indiana. There are 140 or more pests and pathogens currently identified that can potentially be moved in firewood. Some of these pests can, if introduced to a DNR property, devastate forested areas where popular hiking trails and hundreds of rare and unique species are located. There is also a large potential of greatly reducing shade in property campgrounds. Many properties such as Pokagon, Spring Mill, and Indiana Dunes state parks and Salamonie Reservoir have already been impacted from one such pest, the emerald ash borer. Aside from the ecological ramifications, also of concern are the additional costs of containing and managing such infestations.

At the present time, science has not provided the tools necessary to combat many forest pests either by early and reliable detection of individuals or low level populations, nor by effective controls over large expanses of territory. Education and regulatory work consistent with the proposed rule are the best available tools to prevent long range artificial spread of current and future pests and pathogens and the associated impact in tree mortality to forest resources throughout Indiana's state properties.

Regulated entities would include firewood retailers, such as local businesses, state-certified concessionaires, and state properties. The number of firewood retailers currently operating in the state is unknown; however, the DNR Division of Entomology and Plant Pathology holds 312 compliance agreements under [312 IAC 18-3-18](#). Entities wishing to provide firewood for use in state properties would require a compliance agreement and rule compliance. The annual cost to regulated entities is estimated to be \$720.

The primary benefit of the proposed rule is a reduction in artificial spread of forest pests and pathogens throughout state properties. The reduction of spread of these pests directly correlates to a reduced mortality of trees and other forest resources. Fewer trees infested with equates to less removal of dead trees and increased value to existing habitat in Indiana's natural resources and forests. Secondary benefits to the proposed rule include increased awareness of the damage that invasive pests have on the natural resources, the industry, and the public as well as advances in forest management techniques.

Copies of these rules are now on file at the Indiana Government Center North, 100 North Senate Avenue, Room N501 and Legislative Services Agency, Indiana Government Center North, 100 North Senate Avenue, Room N201, Indianapolis, Indiana and are open for public inspection.

Bryan W. Poynter  
Chairman  
Natural Resources Commission

Posted: 10/19/2011 by Legislative Services Agency  
An [html](#) version of this document.